



Thursday, May 02, 2013

Mr. Jeff Bates  
Secretary of TA Staffing, Inc.  
1100 Kermit Drive  
Ste. 105  
Nashville, TN 37217

Mr. Bates,

This letter serves to confirm the receipt of your correspondence, dated April 22, 2013, protesting the intent to award of RFP 104-2012, Temporary Labor Services to Industrial Staffing Solutions as well as address your claims.

**Claim 1:**

*TA Staffing should be awarded 10 full points because 1) they met the standards under Section V paragraph B of the RFP which stated, "A Small Business means a United States business which is independently owned and operated and which is no dominated in it's field of operation or an affiliate of subsidiary of a business dominant in it's field".*

**Findings:**

TA Staffing did not submit the necessary documents to received 10 points for small business per Section V paragraph F Documentation Requirements which reads as follows:

Proposer must complete the List of Proposed Small Businesses (Exhibit C) and submit the Exhibit with the proposal to make a commitment to use subcontractors that claim small business status. Changes to the list of proposed small businesses must be submitted in writing and approved in advance by the Convention Center Authority. Proposer must confirm that any small businesses to be included in its proposal meet the small business standards set forth by the Convention Center Authority. Proposer shall likewise notify its proposed small businesses that the Convention Center Authority requires that the subcontractor be (1) registered to do business with the Metropolitan Government of Nashville and Davidson County and (2) approved as a small business through the submission to the Convention Center Authority of documentation to confirm small business status including a copy of their two most recently submitted business tax returns as well as IRS form 941-Employer's Quarterly federal tax return. This information will be reviewed by the Convention Center Authority and used to confirm the small business status. Small business status must be approved by the Convention Center Authority prior to proposal submission. While the Convention Center Authority commits to having documents reviewed and status granted as quickly as possible after the receipt of the necessary documentation, to be safe,

The Convention Center Authority of the Metropolitan Government of Nashville & Davidson County  
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documents should be submitted no later than four days before the bid/proposal is due to allow time for status to be granted.

TA Staffing did not include themselves on Exhibit C per Exhibit's instructions bullet #1.

**Claim 2:**

*TA Staffing did not receive a response to clarification email.*

**Findings:**

TA Staffing did not submit the inquiry by the deadline per Section III paragraph D. Email was received on March 29, 2013.

**Claim 3:**

*TA Staffing did not receive a list of potential bidders.*

**Findings:**

The Mandatory Pre-proposal sign-in sheet was posted to bid solicitation 104-2012 via <http://www.nashville.gov/Finance/Procurement/Purchasing/BOB-Outside-iSupplier/RFP-104-2012.aspx>

The Notice to Offerors states "It is the Offeror's responsibility to ensure that the entire RFP package, in its latest version, is reviewed prior to submittal of a proposal."

**Claim 4:**

*TA Staffing followed the RFP as indicated but did not receive the entitled and earned points due to inconsistencies within the RFP and grading system of the MCC.*

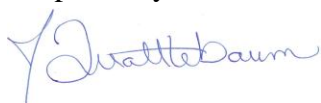
**Findings:**

TA Staffing did not list Approved Small Businesses on Exhibit C per Section V paragraph F of the RFP to receive points.

**Decision:**

TA Staffing did not follow the RFP to receive the Small Business and Service Disable Veterans points. Therefore, calculations of Tab V of RFP 104-2012 will remain.

Respectfully,



Jasmine Quattlebaum  
Director of Purchasing  
Convention Center Authority

The protest decision of the Director of Purchasing may be appealed within seven (7) days of the written decision to the Appeals Board. The notice of appeal must be mailed via either U.S. Mail or hand delivered to the Music City Center President and CEO and the Director of Purchasing prominently stating “Notice of Appeal.”

A written decision will be issued which states the extent to which, the decision by the Director of Purchasing was in accordance with the Constitution, statutes, the Convention Center Authority Procurement Policy, regulations, the terms, and conditions of the solicitation, and the best interest of the Convention Center Authority.